



UNITED STATES COURT OF INTERNATIONAL TRADE
ONE FEDERAL PLAZA
NEW YORK, NY 10278-0001

CHAMBERS OF
Claire R. Kelly
Judge

March 19, 2018

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Re: *Claude N. Lewis v. American Sugar Refining, Inc. and Mehandra Ramphal*,
Case No. 14-cv-02302

Dear Counsel:

On Monday, March 19, 2018, the court heard oral argument related to the parties' pending motions in limine and subsequently held a pretrial conference with counsel in this action. During the pretrial conference, the court discussed with counsel their objections to the trial exhibits, see Proposed Joint Pretrial Order at 23–36, Nov. 7, 2017, ECF No. 94, made requests related to those objections, and informed the parties that a letter memorializing those requests would follow. Accordingly, following are the court's outstanding requests:

1. Regarding Defendants' objections to certain of Plaintiff's exhibits on grounds that those exhibits cannot be authenticated because they were not received by ASR: the court requests Defendants' counsel to provide Plaintiff's counsel with a list of the exhibits to which this objection pertains by Wednesday, March 21, 2018. Plaintiff will then inform the court by Thursday, March 22, 2018 how it intends to authenticate those documents. If a hearing needs scheduled for that purpose, the court will schedule it after receiving Plaintiff's counsel's response;
2. Regarding Defendants' objection to PX-6 on grounds that Dr. Parson may not be qualified to testify to particular emotional harms: the parties shall confer and propose at least two dates before Monday, April 16, 2018 on which they are available for a voir dire and Daubert hearing regarding Dr. Parson's qualifications and the permissible scope of her testimony;
3. Regarding PX-11: the parties shall provide the court and opposing counsel with the second page of this exhibit;
4. Regarding the issue of punitive damages: Defendants may brief its position on this issue, in a memorandum of no more than 5 pages, by Thursday, March 22, 2018, and Plaintiff may file a response paper of the same length by Monday, March 26, 2018;
5. Regarding the issue of references at trial to the recent Mayo-Coleman v. American Sugars Holdings, Inc., Civil Action No. 14-cv-0079, case: Plaintiff may brief its position on this issue, in a memorandum of no more than 5 pages, by Thursday, March 22, 2018, and Defendants may file a response paper of the same length by Monday, March 26, 2018;

6. The parties are requested to provide a list of all exhibits that have been withdrawn and to provide updated exhibits reflecting all social security number redactions;
7. Plaintiff's counsel may file a proposed verdict sheet on or before Monday, March 26, 2018; and
8. The parties shall inform the court whether they believe that a jury instruction on the EEOC proceedings is necessary and, if so, shall provide a proposed instruction.

If you have any questions, please contact my case manager, Mr. Steve Taronji, at (212) 264-1611.

Sincerely,

/s/ Claire R. Kelly
Claire R. Kelly, Judge